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10/025,068	12/18/2001	Roy Want	42390P11690	8360

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EXAMINER

PREVIL, DANIEL

ART UNIT	PAPER NUMBER
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2636

DATE MAILED: 12/30/2003

6

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/025,068

Applicant(s)

WANT ET AL.

Examiner

Daniel Previl

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 21 August 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-34 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-34 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

### Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_. 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

This action is responsive to communication filed on August 21, 2003.

***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claims 1-34 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

Regarding claims 1, 12, 20, 27, the phrase "independently of the wireless communication" considers as a new matter because it was not described in the specification.

Claims 2-11, 13-19, 21-26, 28-34 are rejected for the same reason since they depend from rejected claims.

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

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A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-5, 12-14, 20-22, 27-28 are rejected under 35 U.S.C. 102(e) as being anticipated by Struble (US 6,433,685).

Regarding claim 1, Struble discloses a first device (detector 110) which includes a first wireless communication interface (detector 110 contains program logic and components that make the respective device conform to the wireless communication technology) (col. 11, lines 11-14); and second device (article 202) which includes a second wireless communication interface to communicate with the first wireless communication interface (article 202 and the detector 110 contain program logic and components that make the respective device conform to the wireless communication technology in order to enable interoperable communication between the devices) (fig. 2; col. 11, lines 10-14); within a wireless communication range, and a range sensor to sense independently of the wireless communication when the first device is within a predetermined physical range of the second device (the detector communication module 204 facilitates the communication between the article 202 and the detector 110. The detector communication module 204 conforms to the bluetooth protocol. The sensor module's 214 detecting range within its detecting range and transmits a request

for the articles 202) (fig. 2; col. 10, lines 33-67; col. 11, lines 1-14; col. 12, lines 41-58).

Regarding claim 2, Struble discloses the first and second wireless communication interfaces communicate using a standardized communication protocol (bluetooth protocol), the second wireless communication interface (article 202) communicates with a plurality of first wireless communication interfaces (communication module 216 and sensor module 214) each associated with a particular first device within the wireless communication range (fig. 2; col. 10, lines 33-67; col. 11, lines 1-14; col. 12, lines 41-58).

Regarding claim 3, Struble discloses the range sensor senses one of a plurality of first devices is within the predetermined physical range whereafter communications between the two devices are established via the first and second wireless communication interfaces (col. 12, lines 41-65).

Regarding claim 4, Struble discloses the first device is a portable computer device (article 202 could be laptop computers, cell phones or other portable electronic devices) (col. 3, lines 45-50) and second device is a computer access device detector 110 is used to be viewed of one or more computers) (col. 3, lines 43-54).

Regarding claim 5, Struble discloses first and second wireless communication interfaces are communication modules which communicate using a standardized communication protocol (fig. 2; col. 10, lines 52-67).

Regarding claim 12, Struble discloses a second wireless communication interface (detector 110) communicate with one portable electronic device (article 202) having a first wireless communication interface within a wireless communication range of the computer access device (col. 10, lines 33-67); a range sensor to sense independently of the wireless communication when the portable electronic device is within a physical range of the computer access device (col. 12, lines 41-58).

Regarding claim 13, Struble discloses the first and second wireless communication interfaces communicate using a standardized communication protocol (bluetooth protocol), the second wireless communication interface (article 202) communicates with a plurality of first wireless communication interfaces (communication module 216 and sensor module 214) each associated with a particular first device within the wireless communication range (fig. 2; col. 10, lines 33-67; col. 11, lines 1-14; col. 12, lines 41-58).

Regarding claim 14, Struble discloses the range sensor senses one of a plurality of first devices is within the predetermined physical range whereafter communications between the two devices are established via the first and second wireless communication interfaces (col. 12, lines 41-65).

Regarding claim 20, Struble discloses a first wireless communication interface (article 202) to communicate with a second wireless communication interface (detector 110) of a computer access device within a wireless communication range of the computer access device (fig. 2; col. 10, lines 3-67); a

range sensing component which interacts, independently of the wireless communication with a range sensor of the computer access device when the portable electronic device is within a predetermined physical range of the computer access device (the detector communication module 204 facilitates the communication between the article 202 and the detector 110. The detector communication module 204 conforms to the bluetooth protocol. The sensor module's 214 detecting range within its detecting range and transmits a request for the articles 202) (fig. 2; col. 10, lines 33-67; col. 11, lines 1-14; col. 12, lines 41-58).

Regarding claim 21, Struble discloses the first and second wireless communication interfaces communicate using a standardized communication protocol (bluetooth protocol), the second wireless communication interface (article 202) communicates with a plurality of first wireless communication interfaces (communication module 216 and sensor module 214) each associated with a particular first device within the wireless communication range (fig. 2; col. 10, lines 33-67; col. 11, lines 1-14; col. 12, lines 41-58).

Regarding claim 22, Struble discloses the computer access device to identify the portable electronic device (detector 110 associated article identification information) (col. 10, lines 33-39).

Regarding claims 27-28, Struble discloses a second device selecting a first device from a plurality of devices to establish substantive communications

(detector 110 receives a request for the associated article identification information, transmits the article identification with the article 202) (fig. 2; col. 10, lines 16-67; col. 11, lines 1-14) with the selecting including by sensing, independently of the wireless communication when the first device is within a predetermined physical range of the second device and establishing substantive communication with the first device (fig. 2; col. 10, lines 33-67; col. 11, lines 1-14).

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 6, 15, are rejected under 35 U.S.C. 103(a) as being unpatentable over Struble.

Regarding claims 6, 15, Although, Struble discloses all the limitations in claim 1 but fails to specify bluetooth 802. 15 technology. Since Struble disclose bluetooth technology (col. 10, lines 53-54). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Struble's bluetooth technology in bluetooth 802.15 technology to insure a better



transmission which is quicker and convenient for the users. Wherein users can save time and money.

5. Claims 7, 16, 23, 29, are rejected under 35 U.S.C. 103(a) as being unpatentable over Struble in view of Hind et al. (US 2002/0174025 A1)

Regarding claims 7, 16, 23, 29, Struble discloses all the limitations in claim 1 but fails to explicitly disclose a tag reader which communicates with a radio frequency identification tag of the first device when the RFID tag is within the predetermined physical range thereby to identify the first device.

However, hind discloses a tag reader 56 communicates with the RFID tag product of the PDA 20 through a short-range wireless communication (page 4, ref. 0041).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Hind in Struble. Doing so would insure a better communication between the devices which is quicker and convenient for the users. Wherein users can save time and money.

6. Claims 8-11, 17-19, 24-26, 30-34, are rejected under 35 U.S.C. 103(a) as being unpatentable over Struble in view of Hind and further in view of Keller et al. (US 2002/0054412 A1).

Regarding claims 8, 17-18, 24, 30, the above combination discloses all the limitations in claim 6 but to explicitly disclose an optical arrangement to sense when the first device is within a predetermined angular range relative to the second device.

However, Keller discloses an optical arrangement to sense when the first device is within a predetermined angular range relative to the second device (optical signal from clients 14 (first device) spread significantly in diameter to angular spread in the transmitted light at the hub (second device)) (abstract).

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Keller in Struble and Hind. Doing so would insure a better communication between the devices which is quicker and convenient for the users. Wherein users can save time and money.

Regarding claim 9, the above combination discloses all the limitations in claim 8 and Keller discloses angular range that defines a zone proximate to the second device within which substantive communications between the two devices are established via the first and second wireless communication interfaces (hub 14 limited in size in close proximity to one another) (abstract).

Regarding claims 10, 19, Struble disclose distance is less than the wireless communication range , distance defining a restricted zone within

the second device assumes that a user requires use of the second device (col. 10, lines 52-67).

Regarding claim 11, Struble discloses personal computer (laptop computers) cell phones and other portable electronic device (col. 3, lines 45-50).

Regarding claim 25, Struble discloses bluetooth technology (col. 10, line 56).

Regarding claim 26, Struble discloses personal computer (laptop computers) cell phones and other portable electronic device (col. 3, lines 45-50).

Regarding claim 31, Struble discloses the first and second wireless communication interfaces communicate using a standardized communication protocol (bluetooth protocol), the second wireless communication interface (article 202) communicates with a plurality of first wireless communication interfaces (communication module 216 and sensor module 214) each associated with a particular first device within the wireless communication range (fig. 2; col. 10, lines 33-67; col. 11, lines 1-14; col. 12, lines 41-58).

Regarding claim 32, Struble discloses bluetooth technology (col. 10, line 56).

Regarding claims 33-34, Struble discloses physical range is less than the wireless communication range and the method includes, once the particular first device has been identified, establishing substantive communications between the

first device and the second device by means of wireless communication interfaces (col. 10, lines 33-67).

***Response to Arguments***

7. Applicant's arguments filed on August 21, 2003 have been fully considered but they are not persuasive.

According to Applicant's argument on page 9 "Struble does not disclose or even suggest the limitation wherein the range sensing is independently of the wireless communication". The examiner respectfully disagrees with the Applicant because sensor module 214 communicates remotely or wirelessly with articles 202 within a communication range which is independent from each other (fig. 2; col. 12, lines 20-66). Struble clearly discloses a transmitting range within a short-range to sense the presence of an article that comes within the range e.g. a predetermined distance so this sensing range is independent of the wireless communication (col. 9, lines 65-67; col. 10, lines 1-67).

For at least the above reason, the rejection of claims 1-34 is sustained.

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not

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mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

### ***Conclusion***

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Sallam (US 6,421,232) discloses a dual FPD and thin client.

Pellaumail et al. (US 6,409,086) discloses a terminal locking system.

Muraoka et al. (US 6,462,810) discloses a surveying system.

Landt et al. (US 6,078,251) discloses an integrated multi-meter and wireless communication link.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel Previl whose telephone number is 703 305-1028. The examiner can normally be reached on Monday-Thursday. The examiner can also be reached on alternate Fridays.

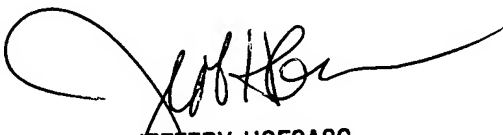
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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeff Hofsass can be reached on 703 305 4717. The fax phone numbers for the organization where this application or proceeding is assigned are 703 872-9314 for regular communications and 703 872-9315 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703 305-4700.

Daniel Previl  
Examiner  
Art Unit 2632

DP  
December 18, 2003



JEFFERY HOFSSASS  
SUPERVISORY PATENT EXAMINER  
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